

RESPONSE TO OFFICE ACTION

SERIAL NO.: 09/208,696; APPLICANT: Yasuyuki Sekine; AU 3711
EXAMINER: Collins, D.; ATTY. DKT.: RM.HPK; FILED: December 10, 1998

Also, since only a set of three sequential "cherry" symbols appear recognizably serially one after another once rotation of a reel that is provided with reel sheet 100R, the sequentially arranged special symbols recognizably appear and permit a player to perform an effective stop operation. --

A4
Page 10, line 12, after "switch" insert -- 8 --.

In the Abstract:

A5
Page 18, lines 2 to 10, delete these lines in their entirety, and insert therefor the following paragraph:

-- A display for a game is provided with a display portion that provides indication of a plurality of movable symbols that are necessary for playing the game, and which are moved in a determined direction. A special kind of symbol, among the plurality of symbols, is indicated by two or more identical symbols being caused to appear serially on the display portion. When two or more such identical symbols appear in sequence, even if the symbols are moved at a fairly high rate of speed, the player can distinguish such repetition of a symbol in the sequence, and thereby identify the special symbol. With knowledge of the identity of the special symbol, the player can relatively easily execute a stop motion operation with good timing. --

R E M A R K S

Amendments are presented herein to improve the form of the subject application and in response to the Examiner's comments in the above-identified Office Action.

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Information Disclosure Statement

The Examiner states that the listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MEP. § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, the Examiner confirms that unless the references have been cited by the Examiner on form PTO-892, they have not been considered.

Drawings

The drawings are considered by the Examiner to be objectionable as failing to comply with 37 CFR 1.84(p)(5) because they include reference sign(s) that are not mentioned in the description. More specifically, the Examiner states that reference character (8), shown in figure 2 is not explicitly mentioned in the specification. The Examiner assumes that this reference character refers to the switch which automatically supplies medals to the credit portion. The Examiner has required correction or clarification.

Applicant has amended the specification to recite the structure associated with reference character 8. Accordingly, this objection to the drawing has been overcome.

Specification

The Examiner states that in the specification on page 8, in paragraphs 2 and 3, figures 3 and 4 are described as being exactly the same. The Examiner notes, however, that Figs 3 and 4, as shown in the drawings, are different. The Examiner feels that Applicant intended to describe figure 4 as having the first and second reels stopped. The Examiner has required correction or clarification.

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Applicant has amended paragraph 3, relating to Fig. 4, in accordance with the Examiner's suggestion. Accordingly this basis of objection by the Examiner has been overcome.

Abstract of the Disclosure

The Abstract of the Disclosure is considered by the Examiner to be objectionable because it contains repetitive information. The Examiner has required correction and directs Applicant to MEP § 608.01(b).

The Examiner continues by stating that in line 8 of the abstract, the words "are appeared" should perhaps be replaced by the word "appear." The Examiner has required correction.

Applicant has amended the Abstract of the Disclosure to correct the Examiner's basis of objection. Accordingly, the Examiner's objection has been overcome.

Claim Rejections - 35 U.S.C. § 112, Second Paragraph

Claims 2 and 3 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to point out with particularity and claim distinctly the subject matter that Applicant regards as the invention. In this regard the Examiner states that the limitations a "disadvantageous symbol" in claim 2 and an "advantageous symbol" in claim 3 are not understood.

Applicants have amended claims 2 and 3 to delete the language that the Examiner has determined to be objectionable. Accordingly, the Examiner's rejection of claims 2 and 3 under 35 U.S.C. § 112, second paragraph, has been overcome.

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Claim Rejections - 35 USC § 102 and 35 USC § 103

Claims 1-10 stand rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as specifying subject matter considered by the Examiner to be obvious, over Sankyo K.K.

The Sankyo K.K. reference is considered by the Examiner to disclose, as the invention, a slot machine. The Examiner states that in the slot machine, the inventor of the arrangement disclosed in the Sankyo K.K. reference teaches a display that has two or more identical symbols appearing serially, as shown in the main figure of the known invention.

According to the Examiner, Sankyo K.K. discloses the claimed (display) invention with the exception of the teaching of two or more identical special symbols in all three columns. The Examiner concludes that it would have been obvious to one of ordinary skill in the art at the time of the invention to duplicate the teaching of two or more identical special symbols shown in the right and left columns (drums) as shown in the aforementioned figure, since, according to the Examiner, it has broadly been held that mere duplication of the essential working parts of a device involves only routine skill in the art.

The Examiner continues by stating that additionally the serially appearing symbols of Sankyo K.K.'s disclosure could be considered special for the purpose of this invention.

The game machine of Sankyo's invention is a system that is directed to produce discrimination data of failure that can be displayed on a left drum 189, of the left, the central, and the right drums 189, 188, and 187, and also a further discrimination data for failure that is displayed on the right drum 187, different each other. In Fig. 22, the left symbol row does not contain the "cut melon" symbol that is assigned to a failure symbol, and the right symbol row does not contain the "bell" symbol that

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is assigned to a failure symbol. The three symbol rows commonly only hit symbols of "7" and "Bar".

As a result, if the same three symbols are displayed at the same time when plural movable displays are stopped, a "hit" is generated.

Although Sankyo discloses a slot machine wherein two or more identical symbols appear serially that are shown in the main figure of Fig. 22, the sequentially arranged symbols cannot appear recognizably for a player to perform an effective stop operation because the sequentially arranged symbols appear so often. In the symbol row of left drum 189, 10 symbols are arranged in a certain sequence. Among them, 6 "bell" symbols are arranged including 2 sets of 2 sequential "bell" symbols. In this case, a display sequence of "bell"- "bell" - "7" appears twice per rotation of left drum 189 in the display window that displays simultaneously three symbols in each row. In the symbol row of right drum 187, there are two sets of four serially arranged "cut melon" symbols. In this case, a display sequence of "cut melon"- "cut melon"- "cut melon" appears four times per rotation of right drum 187 in the display window. Frequent appearances of sequential identical symbols are not recognizable and hardly assist a player to carry out his or her operation with good timing.

In view of the foregoing, it is respectfully asserted that the Examiner's rejection of claims 1-10 under 35 U.S.C. § 102(b) or under 35 U.S.C. 103(a) has been overcome.

Conclusion

The prior art made of record and not relied upon is considered by the Examiner to be pertinent to Applicant's disclosure. Murphy, *et al.*, Hooker, Kimura, Olympia, and Kabushiki Kaisha Ace Denken are cited by the Examiner to show the state of the art with respect to features of the claimed invention.

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Applicant has studied the prior art references that were cited by the Examiner but not applied against the claims and has determined that these references, irrespective of whether they are viewed singularly or in combination with any other reference of record, do not teach or suggest the claimed invention.

In view of the foregoing, it is respectfully requested that the Examiner reconsider the present application, allow the claims, and pass the application for issue. If the Examiner believes that the prosecution of this case can be expedited by a telephone interview, the Examiner is requested to call attorney for Applicant at the telephone number indicated hereinbelow.

Respectfully submitted,



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